

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, DC 20554

In the Matter of )

Amendment of Section 73.622(b) )

Table of Allotments )

Digital Television Broadcast Stations )

(Boca Raton, Florida) )

**MM Docket No.00-138**

RM-9896

**RECEIVED**

AUG 19 2005

To: The Secretary, for forwarding to the Commission

Federal Communications Commission  
 Office of Secretary

**RESPONSE TO MOTION TO STRIKE**

1. Sherjan Broadcasting Co., Inc. "Sherjan" hereby responds to the "Motion To Strike Reply of Sherjan Broadcasting Co., Inc.," filed by Guenter Marksteiner ("Marksteiner") on August 17, 2005.

2. It is true that Marksteiner holds a construction permit to displace WHDT-LP to Channel 44 and is not simply a prospective future applicant. Sherjan's reference to WHDT(TV) was in error. To that extent, Sherjan does not object to deletion of the reference to WHDT(TV).

3. The fact remains, however, that only Marksteiner, and not the School Board of Broward County, filed an Application for Review. The School Board is the licensee of WPPB-TV, which is the subject of this allotment proceeding. In the absence of participation by the licensee, the Commission must still evaluate whether Marksteiner alone should be permitted to pursue further review.

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Respectfully submitted,

*Peter Tannenwald*  
 Peter Tannenwald *REB*

Counsel for Sherjan Broadcasting Co., Inc.

August 19, 2005

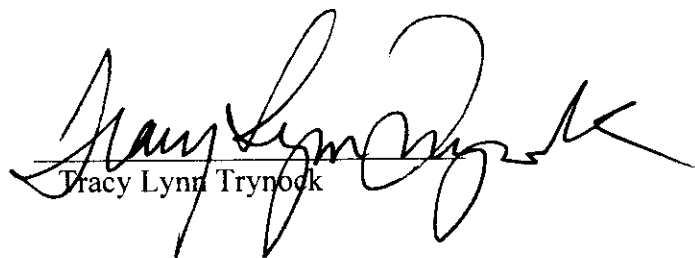
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CERTIFICATE OF SERVICE

I, Tracy Lynn Trynock, do hereby certify that I have, this 19<sup>th</sup> day of August, 2005, caused to be sent by first class United States mail, postage prepaid, a copy of the foregoing "Response to Motion To Strike" to the following:

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Tracy Lynn Trynock